

SITUATION REPORT NO. 2
INCIDENT NO. 2005-036
DATE: March 31, 2005 Time: 5:00 p.m.

TO: Governor John Hoeven
State Capitol
Bismarck ND 58505

1. NATURE OF DISASTER: **Devils Lake Area Roads Acting as Dikes --**
Seepage is occurring within the roadbed of N.D. Highway 20 at three locations near Geske's Curve near St. Michael on the Spirit Lake Nation reservation. The highway, which is neither designed nor constructed to function as a dam, is one of six roads acting as dikes in the Devils Lake area. At this time Tribal officials estimate that approximately 15 homes would be threatened if a failure of the highway occurs.
2. DEATHS AND INJURIES: No change from previous report.
3. DAMAGES: At the request of state officials, the National Weather Service (NWS) issued an updated flood forecast for the Devils Lake Basin on Thursday, March 31. The current height of Devils Lake at Creel Bay is 1447.96 ft with a 50 percent chance of Creel Bay reaching an elevation of 1448.8 ft and a 10 percent chance of it rising to 1449.6 ft level. The lake reached a record high of 1,449.10 feet in 2004. The estimated crest values are about one-half foot below those given in the March 9th outlook, which forecasters attributed to recent milder and drier weather conditions.

Spirit Lake Tribal officials have revised earlier estimates of homes threatened by potential failure of N.D. Highway 20. They confirm that approximately 15 homes may be impacted. The Spirit Lake Emergency Manager is conducting an assessment of homes and other structures that may be impacted.

4. RESOURCES:
LOCAL: Local agencies monitoring seepage activity include local/tribal emergency managers (Benson, Ramsey and Spirit Lake), local/tribal council chairpersons, city, county and tribal public works crews, local/tribal law enforcement, Spirit Lake Tribe Community Health, local dispatch centers, Tribal Environmental Protection Office (TEPO) and the Spirit Lake Casino and Lodge.

STATE: State agencies involved in monitoring and responding to the seepage activity include the Governor's Office, N.D. Division of Emergency Management (NDDEM), N.D. Department of Transportation (NDDOT), N.D. State Water Commission (SWC), N.D. Highway Patrol (NDHP), N.D. National Guard (NDNG), and the N.D. Indian Affairs Commission (NDIAC).

FEDERAL: Federal agencies monitoring conditions include the U.S. Army Corps of Engineers (USACE), Bureau of Indian Affairs (BIA), Bureau of Reclamation (BOR), National Weather Service (NWS) of the National Oceanic and Atmospheric Administration (NOAA) and the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS).

5. VOLUNTEER ACTION: In addition to the previous report, the American Red Cross is monitoring the situation.
6. MAJOR ACTIONS: On March 31, 2005, Governor John Hoeven and David Sprynczynatyk, the NDDOT Director, visited N.D. Highway 20 seepage sites and discussed potential solutions with local and tribal officials.

Governor Hoeven will meet in Washington D.C. with federal officials April 1, 2005, to review the situation and determine potential federal assistance.

Since Tuesday, March 29, the NDDOT, State Water Commission and the USACE have assessed conditions along N.D. Highway 20 and have concluded the following:

- Site observations and soil borings indicate the embankment is stable.
- There are a few additional locations where seepage is occurring. These areas, as well as the original areas, will be monitored.
- Testing indicates the water is possibly migrating through sand and gravel seams in the roadway.
- The group believes there is no imminent danger.

Based on the review, the following plan of action was developed:

- The USACE will take additional borings along the roadway to better identify the soil layers and conditions and install monitoring devices to monitor the flow of the water. The entire roadway embankment will be inspected. The USACE will mark the areas of greatest concern. These areas will be more closely monitored on a daily basis.
- NDDOT will identify and locate any existing culverts in the grade and assure they are plugged to stop any seepage that may be occurring.
- Additional actions will be proposed as needed, based on final analysis.
- The roadway will be reopened to traffic on Friday, April 1, 2005.

The USACE provided a briefing to the State Operations Center on Thursday, March 31. The federal agency plans to continue its boring efforts and monitoring efforts. Additionally, engineers are reviewing the Action Plan for Devils Lake Roads Acting as Dikes (RAAD) to determine if additional measures are needed.

The NDHP troopers continue to monitor N.D. Highway 20 in cooperation with NDDOT officials. All emergency contact numbers for the Highway Patrol have been given to the Local Law Enforcement Center in Devils Lake.

Construction on the Devils Lake outlet, a project under the direction of the SWC, is 80 percent complete and is expected to be operational by July. The outlet will pump water from the southwest corner of Devils Lake, in an area known as Round Lake, at an initial rate of 100 cubic feet per second (cfs) via a series of pipelines and open channels to the Sheyenne River. There will be a total of 3.3 miles of pipeline and 9.4 miles of open channel. The outlet is expandable to 300 cfs if another pipeline and additional pumps are installed and the necessary permits obtained.

7. ASSISTANCE NEEDED: NDDEM has requested an update of the flood outlook for the Devils Lake Basin from the NWS.
8. OUTSIDE HELP ON SCENE: NDDOT, SWC, NDHP, BIA, USACE and NDDEM are continuing site inspections.
9. OTHER INFORMATION: Nelson County officials have identified transportation routes and residential properties at risk this spring as a result of the arrival of floodwaters related to ND-DR-1515 (2004 spring flood). The N.D. Division of Emergency Management has requested FEMA Region VIII assistance to address the issues of delayed flooding and damages at Stump Lake.

FEMA's National Flood Insurance Program (NFIP) staff members, working in concert with staff of the SWC, have been developing appropriate and timely solutions for properties around Stump Lake that may be in imminent danger of flooding this summer.

The N.D. Division of Emergency Management's Situation Reports are posted on the Division's Internet home page. The address is <http://www.state.nd.us/dem>.

Douglas C. Friez, State Director